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HUMAN RIGHTS COMMITTEE

GUIDELINES REGARDING THE FORM AND CONTENTS OF PERIODIC REPORTS FROM STATES PARTIES

Adopted by the Committee at its 308th meeting (thirteenth session), on 27 July 1981, and embodying amendments adopted by the Committee at its 1002nd meeting (thirty-ninth session), on 24 July 1990, and 1089th meeting (forty-second session), on 25 July 1991

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GUIDELINES REGARDING THE FORM AND CONTENTS OF PERIODIC REPORTS FROM STATES PARTIES

1. Under paragraph 1 of article 40 of the Covenant every State party has undertaken to submit reports to the Human Rights Committee on the implementation of the Covenant

(a) Within one year of the entry into force of the Covenant for the State party concerned,

(b) Thereafter whenever the Committee so requests.

2. At its second session, in August 1977, the Committee adopted guidelines for the submission of reports by States parties under article 40*. In drawing up these guidelines the Committee had in mind in particular the initial reports to be submitted by States parties under paragraph 1 (a) of article 40. These guidelines have been followed by the great majority of States parties that have submitted reports subsequent to their issuance and they have proved helpful both to the reporting States and to the Committee.

3. In paragraph 5 of those guidelines, the Committee indicated that it intended, after the completion of its study of each State's initial report and of any subsequent information submitted, to call for subsequent reports under article 40, paragraph 1 (b), of the Covenant.

4. At its eleventh session, in October 1980, the Committee adopted by consensus a statement concerning the subsequent stages of its future work under article 40. It confirmed its aim of engaging in a constructive dialogue with each reporting State and determined that the dialogue should be conducted on the basis of periodic reports from States parties to the Covenant (para. (d)). It also decided that in the light of its experience in the consideration of initial reports, it should develop guidelines for the purpose of subsequent reports. Pursuant to this decision and to the decision taken by the Committee at its thirteenth session to request States parties to submit reports under article 40, paragraph 1 (b), on a periodic basis, the Committee has drawn up the following guidelines regarding the form and contents of such reports, which are designed to complete and to bring up to date the information required by the Committee under the Covenant.

5. General information should be prepared in accordance with the consolidated guidelines for the initial part of reports of States parties to be submitted under the various international human rights instruments, including the Covenant, as contained in document HRI/1991/1.

6. Information relating to each of the articles in parts I, II and III of the Covenant should concentrate especially on:

(a) The completion of the information before the Committee as to the measures adopted to give effect to rights recognized in the Covenant, taking account of questions raised in the Committee on the examination of any previous report and including in particular additional information as to questions not previously answered or not fully answered;

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* See Official Records of the General Assembly, Thirty-second Session, Supplement No. 44, (A/32/44) annex IV.

(b) Information taking into account general comments which the Committee may have made under article 40, paragraph 4, of the Covenant;

(c) Changes made or proposed to be made in the laws and practices relevant to the Covenant;

(d) Action taken as a result of experience gained in cooperation with the Committee;

(e) Factors affecting and difficulties experienced in the implementation of the Covenant;

(f) The progress made since the last report in the enjoyment of rights recognized in the Covenant.

7. When a State party to the Covenant is also a party to the Optional Protocol and if, in the period under review, the Committee has issued views finding that the State party has violated provisions of the Covenant, the report should include a section explaining what action has been taken relating to the communication concerned. In particular, the State party should indicate what remedy it has afforded the author of the communication whose rights the Committee found to have been violated.

8. It should be noted that the reporting obligation extends not only to the relevant laws and other norms, but also to the practices of the courts and administrative organs of the State party and other relevant facts likely to show the degree of actual enjoyment of rights recognized by the Covenant.

9. The report should be accompanied by copies of the principal legislative and other texts referred to in it.

10. It is the desire of the Committee to assist States parties in promoting the enjoyment of rights under the Covenant. To this end, the Committee wishes to continue the dialogue which it has begun with reporting States in the most constructive manner possible and reiterates its confidence that it will thereby contribute to mutual understanding and peaceful and friendly relations among nations in accordance with the Charter of the United Nations.